

REMARKS

Claims 5, 7-8, 12, 13, 15, 18-26 and 54-58 are pending. By this Amendment, claim 9 is canceled and claims 5, 12, 13 and 15 are amended.

Applicant gratefully acknowledges that the Office Action indicates that claims 5, 7-9, 12, 13, 15, 18-26 and 54-58 include allowable subject matter.

Reconsideration based on the following remarks is respectfully requested.

The Office Action rejects claims 5, 7-9, 12, 13, 15, 18-26 and 54-58 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

In particular, the Office Action asserts that the specification does not provide support for the feature of each of the front and back elastic portions including a central elastic portion and two side elastic portions wherein the central portions contact each other in a longitudinal direction. Claims 5 is now amended to recite two side inelastic portions. Support for the claimed features can be found at least in original claims 16 and 17, which were indicated as being allowable.

The remainder of the rejections under 35 U.S.C. 112, first paragraph are obviated by the claim amendments.

Withdrawal of the rejections under 35 U.S.C. 112, first paragraph is respectfully requested.

Applicant respectfully submits that all claims are now in condition for allowance. Should anything further be required to place the application in even better condition for allowance, the Examiner is invited to contact the undersigned.

EFS
Confirmation No.: 6951
Amendment dated October 9, 2009 in Response to
Office Action dated July 10, 2009
Dkt. No. 34315/185

If any fees are required to preserve the pendency of the subject application, please debit Deposit Account No. 01-1785. Likewise, if there is overpayment, please credit the same account.

Respectfully submitted,

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Dated: New York, New York
October 9, 2009

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